

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of

FLYNN

Serial No. 10/715,593

Filed: November 19, 2003

Title: DATA PROCESSING PERFORMANCE CONTROL

Atty Dkt. 550-488
C# M#

TC/A.U. 2863

Examiner: D. Pretlow

Date: December 8, 2005

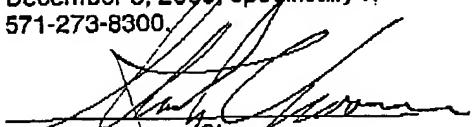
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DEC 8 2005

RESPONSE UNDER RULE 116
EXPEDITED HANDLING PROCEDURES
FACSIMILE CERTIFICATE

I hereby certify that this Amendment
 is being transmitted by facsimile to
 the Patent and Trademark Office on
 December 8, 2005, specifically to
 571-273-8300.


 Signature
 Stanley C. Spooner
 Reg. No. 27,393
No. of pages transmitted (including
this cover sheet): 13 pages

Sir:

RESPONSE/AMENDMENT/LETTER

This is a response/amendment/letter in the above-identified application and includes an attachment which is hereby incorporated by reference and the signature below serves as the signature to the attachment in the absence of any other signature thereon.

 Correspondence Address Indication Form Attached.

Fees are attached as calculated below:

Total effective claims after amendment	41	minus highest number		
previously paid for	43	(at least 20) =	0	x \$50.00
				\$0.00 (1202)/\$0.00 (2202) \$

Independent claims after amendment	2	minus highest number		
previously paid for	4	(at least 3) =	0	x \$200.00
				\$0.00 (1201)/\$0.00 (2201) \$

If proper multiple dependent claims now added for first time, (ignore improper); add \$360.00 (1051)/\$180.00 (2051) \$

Petition is hereby made to extend the current due date so as to cover the filing date of this
 paper and attachment(s)

One Month Extension	\$120.00 (1251)/\$60.00 (2251)
Two Month Extensions	\$450.00 (1252)/\$225.00 (2252)
Three Month Extensions	\$1020.00 (1253)/\$510.00 (2253)
Four Month Extensions	\$1590.00 (1254)/\$795.00 (2254) \$
	\$130.00 (1814)/ \$65.00 (2814) \$

Terminal disclaimer enclosed, add

 Applicant claims "small entity" status. Statement filed herewith

Rule 56 Information Disclosure Statement Filing Fee

\$180.00 (1806) \$

Assignment Recording Fee

\$40.00 (8021) \$

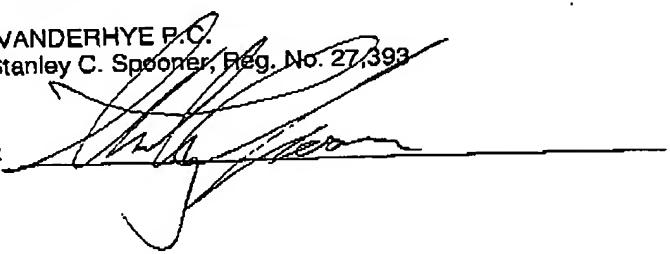
Other:

TOTAL FEE ENCLOSED \$ 0.00

The Commissioner is hereby authorized to charge any deficiency, or credit any overpayment, in the fee(s) filed, or asserted to be filed, or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Account No. 14-1140. A duplicate copy of this sheet is attached.

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NIXON & VANDERHYE P.C.
 By Atty: Stanley C. Spooner, Reg. No. 27,393

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Atty. Ref.: 550-488; Confirmation No. 6450

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For: DATA PROCESSING PERFORMANCE CONTROL

* * * * *

December 8, 2005

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

AMENDMENT UNDER RULE 116

This Amendment is responsive to the Official Action mailed September 8, 2005 (Paper No. 20050902), the date of response to which is December 8, 2005.